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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Hiromichi Ohta, et al.

Serial No. 09/615,883

Filed July 14, 2000

LOW-RESISTANCE ITO  
THIN FILM AND METHOD FOR  
MANUFACTURING SUCH A FILM

)  
) Before the Examiner  
)  
) Jason Vincent V. de la Peña  
)  
) Group Art Unit 1775  
)  
) July 27, 2001

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231 on:

July 27, 2001  
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Vincent O. Wagner  
Name of Registered Representative

*Vincent O. Wagner*  
Signature

July 27, 2001  
Date of Signature

## RESPONSE TO RESTRICTION REQUIREMENT

Hon. Assistant Secretary and  
Commissioner of Patents and Trademarks  
Washington, D. C. 20231

Sir:

In response to the Office Action dated April 27, 2001, please consider the following. Please provide any extensions of time which may be necessary and charge any fees which may be due to Deposit Account No. 23-3030, but not to include any payment of issue fees.

## REMARKS

In response to the restriction requirement entered in the Office Action of April 27, 2001, Applicants provisionally elect Invention II, claims 17 through 25, for examination in this application. This election is made with traverse

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WENMM/SB/21 (12/00)

<b>TRANSMITTAL FORM</b> <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/615.883	
	Filing Date	July 14, 2000	
	First Named Inventor	Hiromichi Ohta, et al.	
	Group Art Unit	1775	
	Examiner Name	Jason Vincent V. de la Pena	
Total Number of Pages in this Submission	<u>3</u>	Attorney Docket Number	10110-3

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/ Response to Restriction Requirement	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> To Convert a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	<b>RECEIVED</b> AUG 03 2001 TC 1700
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Remarks	

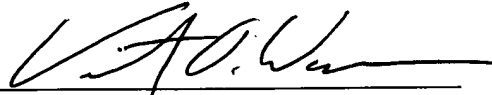
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	Vincent O. Wagner, Reg. No. 29,596 Woodard, Emhardt, Naughton, Moriarty & McNett
Signature	<i>Vincent O. Wagner</i>
Date	July 27, 2001

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Typed or printed name	Vincent O. Wagner		
Signature	<i>Vincent O. Wagner</i>	Date	July 27, 2001

10110-3:VOW:136288/nkg

The MPEP provides that a restriction requirement is not appropriate between differing sets of claims where examination of the claims together would not present a serious burden on the Examiner, even though the claims themselves may be drawn to independent or distinct inventions. (MPEP §803) As noted by the Examiner, Inventions I and II are "related as process of making and product made." It is respectfully submitted that the prior art searching for these related inventions will involve substantial overlap and that the related nature of the claims is such that their examination together will not present a serious burden on the Examiner. On this basis, reconsideration of the entry of this restriction requirement is hereby requested.

Respectfully submitted:



Vincent O. Wagner  
Reg. No. 29,596  
Woodard, Emhardt, Naughton  
Moriarty & McNett  
Bank One Center Tower  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456